

FISCAL NOTE

SB 2635 - HB 2460

February 8, 2000

SUMMARY OF BILL: Requires persons issuing termite clearance letters to have a license from the Pest Control Board. Expands the definition of pesticide to include subterranean termite treatments. The board may suspend or revoke a license if a wood infestation report is knowingly false or an inspection was not actually performed. Prohibits a licensee from issuing guarantees regarding subterranean termites relating to a spot treatment of a structure unless the licensee has treated the entire structure. Defines wood infestation reports and the content of the report. Provides that an individual filing a complaint against a licensee for money damages from termites must do so at least 30 days before filing suit. Within 10 days of receipt, the licensee may request an opportunity to inspect, treat, and/or repair any damage at the expense of the licensee. If agreeable to the owner, the licensee would have 45 days to treat or repair the premises. Failure of the owner to provide notice or refusal to allow inspection is rebuttal presumption that damages have been mitigated. Requires, when a pest control company that conducts inspection or services pertaining to wood destroying pests or organisms is sold, contracts shall be enforceable against the person or entity purchasing the pest control company. Authorizes the Pest Control Board to promulgate appropriate rules and regulations.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$143,950 Recurring
\$50,000 One-Time**

Estimate assumes an increase to the Department of Agriculture for four Pesticide Inspectors and related expenses and equipment to conduct investigations and hearings. Estimate assumes a significant number of complaints will be submitted to the Pest Control Board.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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